

# Union Calendar No. 355

112TH CONGRESS  
2D SESSION

# S. 363

[Report No. 112-502]

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IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 14, 2011

Referred to the Committee on Natural Resources

MAY 30, 2012

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

# A BILL

To authorize the Secretary of Commerce to convey property of the National Oceanic and Atmospheric Administration to the City of Pascagoula, Mississippi, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2   *tives of the United States of America in Congress assembled,*

3   **SECTION 1. EXCHANGE OF NATIONAL OCEANIC AND AT-**  
4                   **MOSPHERIC ADMINISTRATION PROPERTY IN**  
5                   **PASCAGOULA, MISSISSIPPI.**

6       (a) IN GENERAL.—Notwithstanding any other provi-  
7   sion of law, if the Secretary of Commerce determines that  
8   it is in the best interest of the National Oceanic and At-  
9   mospheric Administration and the Federal Government to  
10   do so, the Secretary may convey to the City of Pascagoula,  
11   Mississippi, by standard quitclaim deed, real property con-  
12   sisting of parcels, or portions of parcels, under the admin-  
13   istrative jurisdiction of the Under Secretary for Oceans  
14   and Atmosphere, including land and improvements there-  
15   on, within a tract roughly bounded by—

16                  (1) Delmas Avenue to the south;  
17                  (2) Pascagoula River to the west;  
18                  (3) Pol Street to the north; and  
19                  (4) real property owned by the City of  
20   Pascagoula to the east.

21       (b) CONSIDERATION.—

22       (1) IN GENERAL.—For a conveyance under sub-  
23   section (a), the Secretary shall require that the  
24   United States receive consideration of not less than

1       the fair market value of the property or rights con-  
2       veyed.

3                     (2) FORM.—Consideration under this sub-  
4       section may include any combination of—

5                         (A) property (either real or personal), in-  
6       cluding tracts of real property and buildings,  
7       owned by the City of Pascagoula, that are lo-  
8       cated in such city south of Delmas Avenue, as  
9       well as a contiguous portion of the street known  
10      as Delmas Avenue adjacent to real property  
11      under the administrative jurisdiction of the  
12      Under Secretary for Oceans and Atmosphere;

13                         (B) cash or cash equivalents; and

14                         (C) consideration in-kind, including—

15                             (i) provision of space, goods, or serv-  
16       ices of benefit, including construction, re-  
17       pair, remodeling, or other physical im-  
18       provements;

19                             (ii) maintenance of property;

20                             (iii) provision of office, storage, or  
21       other useable space; or

22                             (iv) relocation services associated with  
23       conveyance of property under this section.

24                     (3) DETERMINATION OF FAIR MARKET  
25       VALUE.—The Secretary shall determine fair market

1       value for purposes of paragraph (1) based on a  
2       highest- and best-use appraisal of the properties con-  
3       veyed under subsection (a) conducted in conform-  
4       ance with the Uniform Appraisal Standards for Pro-  
5       fessional Appraisal Practice.

6       (c) USE OF PROCEEDS.—Any amounts received  
7       under subsection (b)(2)(A) by the United States as pro-  
8       ceeds of any conveyance under this section shall be avail-  
9       able to the Secretary, subject to appropriation, for activi-  
10      ties related to the operations of, or capital improvements  
11      to, property of the Administration.

12      (d) ADDITIONAL TERMS AND CONDITIONS.—

13           (1) IN GENERAL.—The Secretary may require  
14       such additional terms and conditions with the ex-  
15       change of property by the United States under sub-  
16       section (a) as the Secretary considers appropriate to  
17       protect the interest of the United States.

18           (2) EASEMENTS OR RIGHTS OF WAY.—The Sec-  
19       retary may grant or convey to the City of  
20       Pascagoula a right of way or easement if the Sec-  
21       retary determines such grant or conveyance is in the  
22       best interest of the Administration and the Federal  
23       Government.

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